

# Notice of Allowability

Application No.

09/885,077

Examiner

Trenton J. Roche

Applicant(s)

JAMESON, KEVIN WADE

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications filed 5 January 2005.
2. ☒ The allowed claim(s) is/are 1-27.
3. ☒ The drawings filed on 21 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

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### DETAILED ACTION

1. This Office action is responsive to communications filed 5 January 2005.
2. Per Applicant's request, amended claims 1, 10 and 19 have been entered. Claims 1-27 are pending.
3. Claims 1-27 have been examined.

### *Response to Arguments*

4. Applicant's arguments, see pages 7-13 of the Response, filed 27 August 2004, with respect to the rejection of claims 1-4, 6, 10-13, 15, 19-22 and 24 under 35 U.S.C. § 102(b), and the rejection of claims 5, 7-9, 14, 16-18, 23 and 25-27 under 35 U.S.C. § 103(a) have been fully considered and are persuasive. The rejections have been withdrawn.

### *Allowable Subject Matter and Examiner's Statement of Reason(s) for Allowance*

5. Claims 1-27 are allowed.
6. The following is an examiner's statement of reasons for allowance:

The closest found prior art of record, U.S. Patent 6,032,198 to Fujii et al., taken alone or in combination with U.S. Patent Application Publication 2002/0147855 A1 to Lu, fails to teach or reasonably suggest a method for generating makefiles for collections in accordance with independent claim 1. Specifically, Fujii et al., does not teach or reasonably suggest *receiving a request to generate a makefile for a collection, accessing collection information for said collection, classifying said collection information with a content classifier means, and generating a makefile for said collection with a collection makefile generator means, wherein collections are data structures comprised of a collection specifier and collection content*

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*containing zero or more collection files, and wherein a collection specifier contains information about a collection instance, and wherein collection membership information describes collection content...* (claim 1). Similar limitations are recited in independent claims 10 and 19.

Instead, Fujii discloses a method for supporting the design of a plurality of programs distributed on a network, wherein the relation between programs is defined and converted into an interface definition language. A makefile is then generated for application maintenance. However, Fujii does not disclose a process of accessing collection information for collections in a system, classifying said collection information with a collection content classifier, and generating the makefile for said collection with a collection makefile generator means. Note pages 7-13 of the applicant's Response.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trenton J. Roche whose telephone number is (571) 272-3733. The examiner can normally be reached on Monday - Friday, 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571) 272-3719. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Trenton J Roche  
Examiner  
Art Unit 2193

TJR

*Kakar. Um.*

**KAKALI CHAKI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100**